

Assembly Joint Resolution No. 85

RESOLUTION CHAPTER 172

Assembly Joint Resolution No. 85—Relative to same-sex couples.

[Filed with Secretary of State August 31, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 85, Leno. Same-sex couples.

This measure would respectfully oppose any federal enactment designed to prohibit or restrict the provision of rights and obligations under the law for same-sex couples and their families.

WHEREAS, All individuals and families are entitled to dignity, liberty, and equal protection under the law; and

WHEREAS, Like different-sex couples, same-sex couples in California form committed relationships, share their lives together, participate in their communities together, and raise children and care for other dependent family members together; and

WHEREAS, The most recent data from the United States Census Bureau shows that same-sex couples and their families reside in all 58 counties in California and include more than 92,000 couples statewide; and

WHEREAS, Alleviating discrimination against these families furthers the state's interest in supporting stable family relationships, promoting personal and fiscal responsibility, and encouraging parents, rather than the state, to provide financial support for children; and

WHEREAS, Historically, the states, rather than the federal government, have assumed primary responsibility for establishing family policy; and

WHEREAS, A measure to amend the federal Constitution that would in effect discriminate against same-sex couples and their families, and would prevent any state or any branch of government from extending equal rights and obligations to such couples and their families, has been introduced in the United States Congress; and

WHEREAS, Throughout American history, the United States Constitution has been amended, starting with the Bill of Rights, to protect the rights, freedoms, and liberties of the American people; and

WHEREAS, This proposed measure would represent the first use of the constitutional amendment process in our nation's history to single out a group of Americans for discrimination; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully opposes any federal enactment designed to prohibit or restrict the provision of rights and obligations under the law for same-sex couples and their families; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, to each Senator and Representative in the Congress of the United States, and to the presiding officer of each house of each state legislature in the United States.

